

McMANIMON, SCOTLAND & BAUMANN, LLC

427 Riverview Plaza

Trenton, NJ 08611

(609) 695-6070

Andrea Dobin

Ross J. Switkes

Counsel to Andrea Dobin Chapter 7 Trustee

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

In re:

DOUGLAS M. FRIEDMAN and
KIMBERLEE M. FRIEDMAN,

Debtors.

Chapter 13

Case No. 18-29965 (CMG)

Honorable Christine M. Gravelle,
U.S.B.J.

**CERTIFICATION OF ANDREA DOBIN, CHAPTER 7
TRUSTEE IN SUPPORT OF SECOND LIMITED
OBJECTION TO CONFIRMATION OF PLAN**

ANDREA DOBIN, of full age, certifies as follows:

1. I served as the Chapter 7 Trustee for Douglas M. Friedman and Kimberlee M. Friedman (collectively, the “Debtors”). I respectfully submit this certification in support of my second limited objection to the confirmation of the Debtor’s plan (the “Plan”). I am familiar with the facts set forth herein.
2. On October 7, 2018, the Debtors filed a voluntary petition for relief under Chapter 7 of the Bankruptcy Code. On October 8, 2018, I was appointed as Chapter 7 Trustee.
3. On January 22, 2019, the Court entered the Order on Motion to Convert Case to Chapter 13 (the “Order”). Docket No. 29.

4. The Order, *inter alia*:

- a. Converted the Debtors' case to one under Chapter 13;
- b. Required the Debtors to consummate the sale of their real property within six (6) months of entry of the Order;
- c. Deemed me a party-in-interest with standing to file objections, claims, and/or otherwise participate in the Debtors' Chapter 13 case; and
- d. Conditioned the conversion of the Debtors' case upon the Debtors' payment, through the Chapter 13 plan, of all allowed Chapter 7 administrative expenses.

5. On January 22, 2019, the Debtors filed their Plan. Docket No. 31. The Plan does not contain a provision for Chapter 7 administrative expenses. In connection therewith, on March 13, 2019, I filed a limited objection to the Plan. Docket No. 43.

6. On March 21, 2019, the court entered an Order granting the application for compensation of McManimon, Scotland & Baumann, LLC and awarded fees in the amount of \$7,155 in connection with its representation of me during the Debtor's Chapter 7 proceeding. Docket No. 44.

7. To date, the Debtors have not modified the Plan to (i) include a provision for the payment of Chapter 7 administrative expenses; or (ii) earmark any funds for such purposes.

8. Further, while the Debtors are required to close on the sale of their property within six (6) months of entry of the Order, the Debtors have not sought approval to retain a real estate broker.

9. Absent a modification to the Plan to include the payment of Chapter 7 administrative expenses as required by the Order, I respectfully request that confirmation of the Plan be denied.

10. I do not intend to appear at the confirmation hearing scheduled for June 5, 2019 at 10:00 a.m. as I rely on this submission. Should the Court desire an appearance, however, I am happy to appear.

I hereby certify that the above statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: May 29, 2019

By _____ */s/ Andrea Dobin*
ANDREA DOBIN